

SENATE BILL 2417
By Burchett

AN ACT to amend Tennessee Code Annotated, Title 47, relative to consumer protection and home solicitation sales.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 47, Chapter 18, Part 7, is amended by adding Sections 2-5 as appropriately designated sections.

SECTION 2.

(a) Prior to conducting business in a county, a person or business entity engaging in home solicitation sales shall obtain a home solicitation sales permit from the county clerk of such county.

(b) The person or business entity desiring to engage in home solicitation sales shall furnish proof of the identity and permanent address of all sellers to the satisfaction of the county clerk, and shall provide detailed descriptions of any motor vehicle or vehicles that will be used in conducting business in the county. Proof of identity shall include the driver license number of any person who will be using a motor vehicle for such sales. The description shall include the state of registration of such motor vehicle or vehicles and the license plate number or numbers assigned thereto.

(c) The seller or business entity shall also furnish to the county clerk, a report from the Tennessee bureau of investigation containing the information specified in Section 3 of this act.

(d) Such seller or business entity shall also specify the dates, place or places, and times during which business shall be conducted in the county.

(e) The county clerk shall charge a fifty dollar (\$50.00) fee for issuing a home solicitation sales permit which shall be valid for the dates, place or places, and time

specified. The seller shall have a copy of the permit available for presentation during the time the seller is conducting home solicitation sales in such county.

SECTION 3. Each seller or business entity shall furnish to the Tennessee bureau of investigation an application to conduct home solicitation sales within the state of Tennessee. The bureau shall design the applications and shall determine the information required, including, but not limited to:

- (a) The social security number of the applicant;
- (b) The complete name of the applicant;
- (c) Disclosure of information relative to convictions for violations of the law which are classified as felonies or misdemeanors; and
- (d) Notification to the applicant that falsification of required information may subject the person to criminal prosecution as provided in Section 5 of this act.

SECTION 4. The seller or business entity shall bear the costs for the home solicitation sales application.

SECTION 5. Violations of any of the provisions of this act shall be deemed to be an unfair or deceptive practice as provided in Tennessee Code Annotated, Section 47-18-104, and shall be punishable as a Class B misdemeanor pursuant to Tennessee Code Annotated, Section 47-18-104.

SECTION 6. Tennessee Code Annotated, Section 47-18-104, is amended by deleting the language "and" at the end of subdivision (33) and by deleting the period at the end of subdivision (34) and substituting instead the language "; and".

SECTION 7. Tennessee Code Annotated, Section 47-18-104, is further amended by adding the following as an appropriately designated subdivision:

- () Conducting home solicitation sales without a home solicitation sales permit, without completing a home solicitation sales application, or falsifying information on a home solicitation sales application.

SECTION 8. This act shall take effect upon becoming a law, the public welfare requiring it